

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 2:11CR38-NBB-DAS

EARNEST LEVI GARNER, JR.,
and RAYMOND LAMONT SHOEMAKER

ORDER

This cause comes before the court to instruct the parties regarding the upcoming hearing on the motion for new trial based on newly discovered evidence set for November 12, 2015. The hearing to be conducted on that date will encompass only whether the currently pending motion for new trial based on newly discovered evidence remains a viable motion in light of the most recent ruling from the Fifth Circuit Court of Appeals on the defendants' previously filed motions for new trial. If the court determines that the motion is viable, a hearing will be set to address the merits of said motion at a later date.

SO ENTERED this, the 22nd day of October, 2015.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.
UNITED STATES DISTRICT JUDGE